

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 6, 2004

DIVISION ONE

B166159 People (Not for Publication)
v.
Salvador Granados

The judgment is modified to strike the parole revocation fine. As modified, the judgment is affirmed. The matter is remanded for the trial court to issue a new order striking the parole revocation fine, prepare an amended abstract of judgment accordingly and forward the new abstract to the Department of Corrections.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B163955 People (Not for Publication)
v.
Ernesto Jesus Lopez

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B163469 Emma Corporation (Certified for Publication)
v.
Inglewood Unified School District

We affirm the judgment. Emma is entitled to its costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

January 6, 2004 (Continued)

DIVISION ONE (Continued)

B162443 Stegman (Not for Publication)
v.
Pollack, et al.

The judgment is reversed. The matter is remanded with directions to allow Stegman to file an amended complaint alleging a single cause of action based on a written fee agreement. Stegman is entitled to his costs.

Ortega, J.

We concur: Spencer, P.J.
Mallano, J.

B169422 Compton Unified School District (Not for Publication)
v.
Superior Court, Los Angeles County (Cady, r.p.i.)

The Court:

THEREFORE, let a peremptory writ issue, commanding respondent superior court, to vacate its orders, in Los Angeles Superior Court case No. TC015988, entitled Kent Cady v. Compton Unified School District, imposing the discovery sanction of prohibiting petitioner's non-expert witnesses from testifying at trial, and imposing monetary sanctions on petitioner for filing its motion for reconsideration, and to issue a new order, imposing a proportionate discovery sanction. The temporary stay order is hereby terminated, and the matter shall be returned to the civil active list. The parties shall bear their own costs.

DIVISION TWO

B161880 Laff, et al. (Not for Publication)
v.
Manning & Marder, Kass, Ellrod, Ramirez, LLP, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Boren, P.J.

We concur: Nott, J.
Doi Todd, J.

January 6, 2004 (Continued)

DIVISION TWO (Continued)

B167300 People (Not for Publication)
v.
Ylarde

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION THREE

B169369 People (Not for Publication)
v.
Marvin Hill

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B166153 People (Not for Publication)
v.
Rosco James Ellis

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

January 6, 2004 (Continued)

DIVISION FOUR

B161684 Rickley (Certified for Publication)
v.
County of Los Angeles

The judgment is reversed and the case remanded to the trial court with instructions to vacate its order granting a new trial and to reinstate and enter the summary judgment in favor of the County. The County to recover costs on appeal.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B151024 People
v.
Davis

Filed order denying petition for rehearing.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B166849 Peo v. Haddad
B166111 Peo v. Rangel
B160313 Peo v. Edwards

Argument waived, cause submitted.

January 6, 2004 (Continued)

DIVISION FIVE (Continued)

B164101 Farmers & Merchants Bank

v.

City of Long Beach

Merits:

Argued by John Gloger for appellant and by Monte H. Machit, deputy city attorney, for respondents. Cause submitted.

B165674 People

v.

Carlos Ayala and Javier Guadiana

Merits:

Argued by Richard Moskowitz for respondent and by Vanessa Place and David H. Goodwin for appellants. Cause submitted.

B161327 P. Peter Pirouzkar

v.

Regents of University California

Merits:

Argued by David J. Duchrow for respondent, appellant and cross-respondent and by Barbara S. Perry for appellant, respondent and cross-appellant. Cause submitted.

Court recessed at 10:05 a.m.

Court reconvened at 11:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B164961 Peo v. Shelmon

B165437 Peo v. Simmons

B168927 Peo v. Bernal

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B167751 People
 v.
 Willie Norris

Merits:
Argued by Sally P. Brajevich for appellant and by Yun K. Lee, deputy attorney general, for respondent. Cause submitted.

Court recessed at 11:05 a.m.

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

B166110 Carla Roberson
 v.
 James Lofton

Merits:
Argued by George Goldberg for appellants and by Evan B. Sorensen for respondents. Cause submitted.

B168239 Jerry Franklin
 v.
 Louis Vecchio, et al.

Merits:
Argued by Robert P. Damone for appellant and by Jason Edward Turner and Paul R. Salerno for respondents. Cause submitted.

Court recessed at 2:00 p.m.

January 6, 2004 (Continued)

DIVISION SIX

[illegible]

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B167920 People (Not for Publication)
v.
Hernandez

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Zelon, J.

B167539 People (Not for Publication)
v.
Villegas

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Zelon, J.

B157527 Hernandez
v.
State of California

Filed order denying petition for rehearing.

DIVISION SEVEN (Continued)

B161487 People (Not for Publication)
v.
Chaney

The judgment is reversed and this matter is remanded to the trial court for resentencing on counts 2,3, and 5 and on the weapon enhancements alleged on all counts. On remand, the court is directed to consider whether consecutive sentences are appropriate on counts 2 and 5 and on the weapon enhancements alleged on those counts pursuant to section 667.6, subdivision (c), the procedures set forth in *People v. Belmontes* (1983) 34 Cal.3d 335 and the views expressed in this opinion. The court is also directed to consider and impose the appropriate term for the sentences on counts 2, 3 and 5 and on the weapon enhancements alleged on all counts in light of the evidence presented at the sentencing hearing and/or disclosed in the record, including any factors in aggravation or mitigation , and in view of the opinions expressed herein and the procedures set forth in California Rules of Court.

The judgment is affirmed in all other respects.

Woods, J.

I concur: Johnson, J.
I dissent: Perluss, P.J. (Opinion)

B157877 Alexakis (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Johnson, Acting P.J.
Zelon, J.

B167829	Cohen v. Bank of America, et al.
B169329	Cohen v. Bank of America, et al.

Filed order consolidating above captioned appeals.

January 6, 2004 (Continued)

DIVISION SEVEN (Continued)

B166031 People (Not for Publication)
v.
Sansom

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
 Johnson, J.

DIVISION EIGHT

B158596 Barlow v. Singleton (Not for Publication)

We find no abuse of discretion in awarding attorney and accountant fees in this case and therefore affirm the orders.

Flier, J.

We concur: Cooper, P.J.
Boland, J.